

Introduction

With the continued mutilation of animals on the streets of Baltimore, the Mayor's Anti-Animal Abuse Task Force has faced difficult challenges during the final months of its tenure. Nevertheless, we continue to persevere in an ongoing quest to stop a crime that has humbled us by its severity and frequency.

While we may never eradicate animal abuse entirely, the Task Force strives for a time when Baltimore is no longer the target of negative press, but rather, a model for the nation in terms of the protections it offers its most vulnerable crime victims. That goal is within our reach.

Despite the perennial challenges, we are making progress due to the commitment of many. First, we are deeply indebted to Mayor Stephanie Rawlings-Blake, who met with members of the Task Force within weeks of taking office. Not only did the Mayor express support for the recommendations set forth in our Interim Report, but she also graciously hosted an Awards Ceremony for the Task Force at City Hall and attended our public meeting on June 16, 2010 at the Poly/Western High School Auditorium.

The Task Force is also grateful for the public support it has received. Our campaign demands the commitment of average citizens who watch out for this crime, report it, and hold abusers accountable. We also need the public to serve as goodwill ambassadors for animals at home, in the classroom, in houses of worship, and at work. Through grassroots efforts, we can stop animal abuse alley by alley, street by street, and neighborhood by neighborhood.

Accordingly, a successful campaign to eradicate animal abuse requires both a top down and a bottom up approach. Animal abuse is such a widespread and serious crime

that it demands the resources that only a Mayor and City Council can provide – namely, proper funding. The Task Force is relieved that the Mayor and City Council restored critical funding to Animal Control and BARCS, a beleaguered agency and shelter that have endured years of underfunding and understaffing.

Despite surviving the budget process, the economic crisis has hampered our ability to effectuate many proposed reforms recommended in our Interim Report, such as the critical recommendation that the City dedicate three (3) police officers to Animal Control to investigate the most serious cases of neglect and abuse. The lack of funding for this and other reforms has forced us back to the drawing table to find creative solutions to the problems of animal abuse that do not require the outlay of taxpayer dollars.

We continue to press forward with the recommendations set forth in our Interim Report and offer additional recommendations herein. Although many groups, including the Task Force, endeavored to pass legislation in Annapolis to protect animals statewide, no meaningful laws were enacted. Fortunately, however, we have made progress in other areas, such as tracking animal abuse cases and training law enforcement officials in investigating dogfighting and animal cruelty cases.

As always, we are ever grateful to Dr. Randall Lockwood and the ASPCA for the unwavering support they provide. Dr. Lockwood enjoys an international reputation, yet makes time to travel to Baltimore to attend our monthly meetings. He makes us look good by encouraging us to emulate best practices that he has observed throughout the nation. He has also shared our work with member organizations of the National Link Coalition, whose founders including the ASPCA, the American Humane Association, and

the Latham Foundation -- the nation's foremost experts on the animal cruelty/human violence link. With exposure to these national organizations, our potential for combating violence in our community grows even stronger.

We have planted many seeds for reform which we hope will bear fruit. As we write this, the City Council is considering legislation to convert our Task Force into a standing Anti-Animal Abuse Advisory Commission – the first in the nation. We very much desire to continue the work that we have started, so that we may serve not only the animals that so desperately need our protection, but the citizens of Baltimore as well.

Caroline A. Griffin
July 15, 2010

I. COUNSELING FOR CONVICTED ANIMAL ABUSERS

A. Maryland Law.

Maryland's felony and misdemeanor animal cruelty statutes contain a progressive provision that grant a trial judge the discretion to order a convicted animal abuser to obtain psychological counseling. Specifically, our statutes provide, "As a condition of sentencing, the court may order a defendant convicted of violating this section to participate in and pay for psychological counseling." MD. CODE CRIM LAW § 10-604(b)(2); § 10-606(b)(2).

Although the Task Force has not had access to statistics regarding sentencing proceedings in animal abuse cases, the State's Attorney's Office contacted the Department of Juvenile Services ("DJS") and the Task Force in February 2010 to inquire about existing counseling resource centers for convicted abusers. Neither DJS nor the Task Force is aware of any such centers and the Sheppard Pratt Health System, the region's largest mental health provider, does not offer any counseling programs for convicted animal abusers. Thus, there appears to be a shortage of mental health professionals who have training and experience in this area.

The Task Force addressed this issue at its February 2010 meeting and invited Ugandhar Rao Vemalupalli, M.D., a psychiatrist and the Interim Medical Director of the Opioid Treatment Program at Man Alive, Inc. and the Lane Treatment Center, LLC, to assist the Task Force in making recommendations in this area.

Dr. Vemalupalli noted, consistent with the Task Force Interim Report, that animal abuse is both an indicator crime and a predictor crime. Referrals for counseling, however, are often inadequate because they simply address symptoms, not core problems.

This is likewise true for animal abuse, which, until fairly recently, was treated as a symptom rather than a behavior requiring treatment. It was not until 1987 that cruelty to animals was added to the list of indicators for a diagnosis of conduct disorder in the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-III).

It is disturbing that many children who are diagnosed with this conduct disorder go on to meet criteria for antisocial personality disorder and become violent criminals.¹ In a 20-year study conducted by the Massachusetts SPCA and Northeastern University, researchers found that people who abuse animals are five (5) times more likely to commit violent crime.²

Most alarming of all, the FBI has observed a connection between animal abuse and serial killers. Jeffrey Dahmer, David Berkowitz and Ted Bundy all admitted to abusing animals in their youth. According to Alan Brantley, an FBI Supervisory Special Agent, “[b]y self-report, 36 percent [of serial killers] described killing and torturing animals as children and 46 percent said they did this as adolescents. We believe that the real figure was much higher, but that people might not have been willing to admit to it.”³

B. The AniCare Model.

While no peer reviewed counseling programs exist for convicted animal abusers, several psychologists, including Mary Lou Randour, Ph.D. and professionals at Psychologists for the Ethical Treatment of Animals, now known as The Animals and

¹ R. Gleyzer, A. Felthous, and C. Holzer, III, *Animal Cruelty and Psychiatric Disorders*, J. Am. Acad. Psychiatry Law 30:257-65 (2002).

² C. Luke, A. Arluke, and J. Levin, *Cruelty to Animals and Other Crimes, A Study by the MSPCA and Northeastern University*, Massachusetts Society for the Prevention of Cruelty to Animals (1997).

³ R. Lockwood, A. Church, *Deadly Serious*, Humane Society News 1-4 (Fall 1996).

Society Institute, developed dual counseling programs for adults and children who have abused animals, known as the AniCare Model of Treatment for Animal Abuse and AniCare Child, respectively. Ken Shapiro, Ph.D., the Executive Director of the Animals and Society Institute, conducts workshops for mental health professionals in the AniCare and AniCare Child Models and the Task Force is attempting to facilitate a workshop in the Baltimore region later this year.

The AniCare Model was developed in 1999 as the first psychological intervention program for animal abusers over the age of 17. AniCare uses a cognitive-behavioral approach, which was adapted from Intimate Justice Theory, a theory that was originally developed for the clinical intervention of perpetrators of domestic violence. B. Jory, Ph.D. and M. Randour, Ph.D., *The AniCare Model of Treatment for Animal Abuse*, (1999), p. 4.

Juveniles have committed many of the most horrific crimes against animals and the AniCare Child program offers an assessment and treatment program that is geared specifically toward children under the age of 17. Because of the well-known link between animal abuse and human violence, early therapeutic intervention is critical for reducing violence and crime against people as well as animals. As the AniCare Manual aptly notes:

Because animals are treated as property under the law, the criminal justice system has yet to take a firm stand on adjudicating violence against animals. As a consequence, many perpetrators go unidentified until their violence is directed against humans. Because of this delay in identifying potential criminals, referral for treatment typically occurs long after the window of opportunity for basic therapeutic intervention has closed.

The AniCare Model, supra, p. 3. Counseling, however, should be ordered *in addition to* jail time and/or fines, not in lieu of punishment, and courts should monitor the counseling program as a condition of probation to ensure successful completion.

An obstacle in implementing this recommendation is the shortage of mental health professionals who have training or experience in this area. Dr. Vemalupalli has significant experience with cognitive therapy and is willing to work with perpetrators of animal abuse. For an effective broad-based program, however, several mental health professionals should be trained in this area.

As noted previously, the Task Force is attempting to facilitate an AniCare/AniCare Child workshop in the Baltimore region with Ken Shapiro, Ph.D. The Task Force has contacted Maryland's Office of Crime Control and Prevention, which is in the process of updating its list of certified mental health professionals that have accepted referrals from the courts through various victim services programs, such as for domestic violence. Although the City and the Task Force do not have the funds to sponsor an AniCare workshop, the Task Force seeks to invite these mental health professionals to attend a workshop at their own expense, so that they may become certified in the AniCare and AniCare Child approach.

Proper training of mental health professionals is essential. According to Mary Lou Randour, Ph.D., one of the developers of the AniCare Model, "anger management is not a 'one-size-fits all' approach." Accordingly, mental health professionals must properly evaluate a convicted animal abuser before developing a particular diagnosis or treatment plan.

C. Recommendations for Counseling Programs for Convicted Abusers.

While recognizing that the sentencing of criminal defendants is a matter within the discretion of trial judges, the Task Force offers the following recommendations, which it believes would curb recidivism among convicted abusers. There is no cost associated with any of these recommendations.

1. Maryland law provides a trial judge with the discretion to order convicted animal abusers to participate in and pay for psychological counseling as a condition of sentencing. MD. CODE CRIM LAW § 10-604(b)(2); § 10-606(b)(2). Prosecutors, criminal defense attorneys, and the courts should recommend counseling for convicted animal abusers as a matter of course and defendants should bear the cost of this counseling. Courts should order counseling in addition to any appropriate punishment, such as jail time or fines. Finally, courts should monitor counseling as a condition of probation to ensure successful completion.

2. Given the dearth of mental health professionals who have training and experience in the area of animal abuse, professionals with an interest in this subject matter should undergo training. Although not exclusive, the AniCare and AniCare Child models are well-respected programs for the assessment and treatment of animal abusers. Professionals must first properly evaluate convicted animal abusers before developing a diagnosis or treatment plan.

3. District and Circuit Court judges should have access to the names of mental health professionals who have training and experience with assessing and treating perpetrators of animal abuse, so that courts can readily make referrals to experienced professionals as a condition of sentencing.

II. OPERATION CRIME WATCH

A. A Grassroots Approach.

The Task Force has devoted significant resources toward educating the public about the problems of animal abuse and neglect. The Task Force held two (2) public meetings, created a link on the Mayor's website, and responded to countless emails and telephone calls. It also partnered with Baltimore's Classic Five Golf Courses during the Memorial Day weekend for an "Anti-Cruelty Awareness Campaign," where Task Force members spoke to hundreds of golfers about the problem of animal abuse.

Task Force member Ann Gearhart has spoken to thousands of students during the course of the year through her work as a humane educator with The Snyder Foundation. The Task Force Chair has also responded to several speaking requests, including the Mid-Atlantic Animal Law Symposium. The word is out about the problem of animal abuse and the local media has covered this issue extensively, in print, radio and television. The Baltimore Sun, The Examiner and The City Paper have published several articles, television stations WBAL, WJZ, WMAR and FOX45 have aired dozens of stories and interviews about the Task Force and animal abuse, and WYPR, the local NPR affiliate, has covered the issue as well.

Education is one of the most effective weapons in the war against animal cruelty and is the only strategy that can stop animal abuse before it occurs. Moreover, education and outreach do not require significant funding, but rather, a commitment of time. Fortunately, education is the central mission of many successful non-profit organizations in the Baltimore area, such as Karma Dogs and B-more Dog.

The Task Force seeks not only to educate the public, but also to engage the public in reporting the crime of animal abuse. Because of fears of retribution, a conspiracy of silence has developed in reporting this crime, which allows perpetrators to go unpunished. Fortunately, Baltimore already has a program for reporting crime anonymously and the Task Force seeks to expand this program so that citizens may report animal abuse confidentially.

B. The Baltimore Program.

The Mayor's Office on Criminal Justice has an Operation Crime Watch Program, which seeks to "prevent and reduce crime in Baltimore by developing neighborhood-based public safety strategies including block watch and citizen patrol programs." A person interested in participating simply signs up for a crime watch number. The individual submits the request to a district community affairs officer, who, in turn, obtains the confidential crime watch number from the police department's Crime Watch database.

Alan Robinson and James Timpson of the Mayor's Office on Criminal Justice spoke to the Task Force about the mechanics of the program. Neighbors recruit block captains who organize block meetings, so that over time, additional volunteers obtain neighborhood network maps and crime watch numbers. As the number of volunteers increases, neighborhoods install Block Watch or Citizens on Patrol signs at the entrance of neighborhoods. Individuals are then encouraged to report suspicious activity at any time, whether individually or on a group patrol.

Aside from increasing awareness about crime, the crime watch number is unique in that it allows citizens to report crimes or suspicious activity anonymously.

Individuals simply call 911 or 311, as the case may be, and provide their confidential crime watch number. The 911 or 311 operator does not provide the identity and address of the caller to the officer in the responding patrol car.

C. Citizens on Patrol and Animal Abuse.

According to the Mayor's Office on Criminal Justice, the Block Watch or Citizens on Patrol Program has never been utilized to report cases of animal abuse or neglect. The Task Force is working with the Mayor's Office so that citizens may now report suspected animal abuse or neglect cases anonymously.

The Task Force has already provided the Mayor's Office on Criminal Justice with a checklist of known signs of abuse and neglect. In addition, Task Force members Randee Askin and Debby Rahl have created a laminated bookmark with graphic photographs of recent cases of abuse and neglect so that individuals can both identify these crimes easily and know whom to call for help. *An enlarged copy of this bookmark is attached at Exhibit 1.*

Ideally, a humane educator or volunteer would initially accompany a Citizen on Patrol Group to help the neighborhood identify these cases. Even without guidance, neighborhoods can nevertheless identify and report obvious cases of abuse or neglect, such as when an animal is trapped in an abandoned building or is chained outside without adequate food, water or shelter.

As with the CitiTrack Service Request System, Baltimore's Operation Crime Watch Program has never been utilized to report cases of animal neglect and abuse. An extraordinarily effective method of improving responses to animal cruelty simply involves dovetailing animal abuse reporting onto this existing program. The Task Force

believes that this is one of the most effective recommendations proposed to date, given the failure of citizens to report animal abuse for fear of retribution. The Operation Crime Watch program will allow citizens to report these cases anonymously, so that animal enforcement officers and police officers can respond to and alleviate the needless suffering of animals who are the victims of crime.

D. Recommendations for Improving Responses to Incidents of Animal Cruelty.

1. The Mayor's Office on Criminal Justice should continue to work with the Task Force so that Citizens on Patrol Groups can report cases of suspected animal neglect, abuse, or dogfighting anonymously to Animal Control and the Police Department. There is no cost associated with this recommendation.

2. Humane educators and volunteers should accompany Block Watch and Citizens on Patrol groups to help neighborhoods identify signs of dogfighting, animal abuse, and neglect. Trained volunteers can initially assist with educating these groups in recognizing signs of these crimes. There is no cost associated with this recommendation.

3. The City of Baltimore should assist the Task Force in educating the public as to the signs of animal neglect, abuse and dogfighting. The Task Force has created a laminated bookmark for this purpose, which can be distributed to Citizens on Patrol Groups. The City of Baltimore should print 10,000 copies of this bookmark, which can be distributed not only to Citizen on Patrol Groups, but also to municipal agencies, utility companies, and students. The costs of producing these bookmarks would be approximately \$2,500.

III. DOGFIGHTING

A. The Baltimore Landscape.

It is difficult to ascertain the breadth of dogfighting in Baltimore. There have been reports that Phoenix – the pitbull terrier that was set on fire in May 2009 – may have been exposed to dogfighting. Task Force member Lieutenant Samuel Cogen, who is a member of the Baltimore City Sheriff's Office, recently discovered two (2) pitbull terriers in an abandoned building near the City's Operation Safe Surrender location. One of the dogs had fresh injuries on his face and front legs, and Lieutenant Cogen observed chains and blood on the floor - - classic signs of dogfighting.

Despite the evidence, there have been few arrests and even fewer prosecutions for dogfighting. In one case, Baltimore City police officers seized several dogs during an arrest. The dogs were injured and confined in the basement, where police observed a fighting pit, and the suspects were charged with multiple counts of animal cruelty and dogfighting. Despite the strong evidence, the State's Attorney's Office was forced to place the case on the stet docket because the police officer who was the State's chief witness failed to appear for court. Not once, but twice.

This case highlights failures on multiple levels. Not only did a police officer ignore a trial subpoena on two occasions, but there was virtually no communication among the Baltimore City Police Department ("BCPD"), Animal Control, and BARCS following the arrest. The State's Attorney's Office never even contacted BARCS when the dogfighting charges were stетted, even though BARCS bore the responsibility and expense of caring for the injured and traumatized dogs following the arrest.

In this instance, Animal Control and BARCS even failed to communicate to each other, even though they share the same building. The animal enforcement officer assigned to the case agreed to the State's recommendation that the defendants be ordered to perform community service at an animal shelter. When one of the defendants arrived at BARCS with the Court order in hand, the BARCS employee declined to honor the order for fear that more animals would be at risk. The lack of communication among City agencies is staggering.

Without fail, this has been a perpetual theme throughout the year. The lack of communication has been so glaring that the Task Force has spent inordinate time discussing this problem, meeting after meeting, oftentimes at the expense of other pressing issues. Accordingly, this Task Force should serve as the liaison among these agencies.

In July 2007, Commissioner Bealefeld and Health Commissioner Dr. Joshua M. Sharfstein announced the creation of a dogfighting task force. At the time, the City dedicated three (3) police officers to Animal Control, a recommendation that this Task Force has renewed. According to Robert Anderson, the retired Director of Animal Control and a member of both Task Forces, "this collaboration was effective and successful in procuring convictions for dogfighting and animal cruelty."

Mayor Rawlings-Blake has advised that the City does not currently have the funds to dedicate three (3) police officers to Animal Control. This recommendation is so important, however, that it bears emphasis. Animal Control is primarily a code enforcement agency. Animal enforcement officers ("AEOs") do not receive adequate training in animal cruelty investigations or basic forensic techniques. They do not have

the power to make arrests. They do not carry guns. They do not even have the authority to compel individuals to provide identification. Given this reality and the nearly intolerable workloads that AEOs currently endure, this City will not see a meaningful end of dogfighting and animal abuse until proper resources are devoted to these crimes.

B. Pitbulls and Dogfighting.

Pitbull dogs are crime victims more often than any other breed of dog. During the past year, we have observed cases of shocking and alarming sadism: a pitbull who was doused with gasoline and set on fire, a pitbull who was shot and dumped near the Maryland Zoo, a pitbull who was stoned with rocks and bricks, a pitbull who was mauled with a machete, a pitbull who was hung by a chain, a pitbull puppy who was beaten to death with belts and a branch. These are just the cases that made the news. Pitbulls are frequently killed and dumped when they refuse to engage in dogfighting.

Pitbull dogs are also bred indiscriminately. Jennifer Mead-Brause, Executive Director of BARCS, has estimated that 80 – 85% of the dogs surrendered to BARCS are pitbull dogs or pitbull mixes. Despite cooperation from the Baltimore Animal Welfare Alliance (an alliance among BARCS, the Maryland SPCA, and the Baltimore Humane Society) and several hard-working rescue groups, Baltimore struggles to find homes for all of these dogs. Although many are highly adoptable, there is much fear of and discrimination against these dogs and many apartment complexes and homeowners insurance policies do not allow citizens to adopt pitbull dogs or pitbull mixes.

The Task Force invited Paul Miller, a renowned expert on pitbull behavior and dogfighting, to discuss these issues with the Task Force. Mr. Miller was an

investigator with the Humane Society of the United States, where he investigated dogfighting, cockfighting and other crimes against animals. He has worked as a consultant for various animal welfare organizations throughout the nation as well as an instructor for the National Animal Control Association. Mr. Miller now serves as the Executive Director of the Washington County Humane Society.

Mr. Miller explained that pitbull dogs were originally bred in Europe to be aggressive toward other animals and came to the United States through New England during the Civil War. Pitbull dogs became popular during the 1940 – 1950s and were generally not aggressive. Despite the high numbers of pitbull dogs today, these dogs were rare and were never found in shelters until approximately 1980.

Unfortunately, the media unwittingly contributed to their corruption. In the 1970s, professional dogfighters began selling these dogs to street fighters, who became backyard breeders. The product of this breeding produced pitbull dogs that became unpredictable and aggressive to both animals and people when they were mistreated. The media focused great attention on the first human attacks, some of which were sensational, which only increased demands for these dogs among drug dealers, criminals, and street fighters. Since then, the number of professional dogfighters has decreased, while the number of street fighters and amateur fighters has increased.

The vast majority of dogfighters in Baltimore are street fighters. Unlike professional dogfighters, these street fighters both fight and train their dogs at home, using treadmills and isometric training, such as knotted ropes, tires and weights. Pitbulls typically fight in portable pits made of plywood, with indoor/outdoor carpeting for traction, and street fighters often perform their own veterinary work.

Dogfights typically last one-half (1/2) to one (1) hour, although they have been known to last as long as four (4) to five (5) hours. Dogs who are forced to fight suffer injuries on their faces, chest, and front legs. Dogs that refuse to fight or show signs of pain by turning their shoulders and head during a fight – known as “The Turn” – are often killed to stop their perceived inadequate bloodline. Pitbull dogs are often found beaten and dead on public property and are the victims of multiple crimes. These dogs have not only been forced to fight, but have been cruelly killed when they refuse to engage in this sadistic blood sport.

Dogfighting is a felony in Maryland, MD. CODE CRIM LAW § 10-607, but it is still only a misdemeanor to attend a dogfight as a spectator. MD. CODE CRIM LAW § 10-605. As noted in the Interim Report, Maryland is in the minority of states in this regard and the Task Force recommends that Maryland continue its efforts to make this crime a felony, given the likelihood that dogfighting participants can rely on the claim of being a spectator to avoid meaningful prosecution.

C. Training of Law Enforcement Personnel.

1. The Baltimore City Sheriff’s Office.

Sheriffs are often confronted with animal cruelty and abandonment as they are charged with serving warrants, domestic violence orders, and eviction notices. Task Force member Lieutenant Samuel Cogen of the Sheriff’s Office has been instrumental in not only providing training for his colleagues, but also for encouraging training for new police officers.

At Lieutenant Cogen’s request, Paul Miller conducted a training session for the Sheriff’s Office in dogfighting and animal cruelty on April 22, 2010. Mr. Miller

showed graphic undercover videos of professional and amateur dogfights. He discussed Maryland law in relation to animal fighting, cruelty, neglect and abandonment, as well as recent changes in local eviction laws and their potential impact on abandoned animals.

Lieutenant Cogen has also taken the initiative to institute a policy at the Sheriff's Office concerning Animal Abuse, Cruelty, and Abandonment, a copy of which is attached at Exhibit 2. In addition to requiring training in this area, officers of the Sheriff's Office are no longer simply required to refer cases to Animal Control, but are now required to take enforcement action as well:

It shall be the Policy of the Baltimore City Sheriff's Office to educate all sworn Deputy Sheriffs in the State and local laws regarding animal abuse, cruelty, and abandonment. All Sworn Officers of the Sheriff's Office are encouraged to engage in reasonable enforcement actions that are within the scope of their primary duties, in order to cease, prevent or deter animal abuse, cruelty and abandonment.

See Exhibit 2, Draft Policy at p. 1.

Finally, Sheriff John W. Anderson has formally requested that the Maryland Police and Corrections Training Commission create an enabling objective for entry level police for training in felony animal cruelty and dogfighting. *See Exhibit 3.* Sheriff Anderson has specifically requested that entry-level police officers learn to identify resources available to them for these crimes as part of their training in criminal investigations.

The Task Force commends Lieutenant Samuel Cogen and the Baltimore City Sheriff's Office for their extraordinary leadership in the war against dogfighting and animal cruelty.

2. The Baltimore City Police Department.

The Task Force also commends police officer Sarah Avery of the Northwest District, and a member of the Neighborhood Services Unit, for writing and obtaining a grant with the Law Enforcement Training Institute for officer training in animal cruelty investigations. As a result of her efforts, Officer Avery and fourteen (14) of her colleagues attended the National Cruelty Investigations School Level I training course in Charlottesville, Virginia on February 8-12, 2010. These officers received forty (40) hours of specialized training in animal cruelty investigations, including writing search and seizure warrants in animal cruelty investigations, crime scene processing, veterinary evaluations, and animal law.

The BCPD has publically announced that it will work with the Task Force so that certain officers in all nine (9) police districts will receive specialized training in animal cruelty investigations. Dr. Randall Lockwood has stated on several occasions that the ASPCA would be willing to provide live training to the BCPD at no charge. The ASPCA has conducted similar trainings with the New York Police Department and the New York State Police Academy with great success. In addition, the ASPCA has both online programs and CD-ROM based programs for officer training in animal abuse. Unlike the training offered with the Law Enforcement Training Institute, these are limited and focused training sessions, which can generally be conducted in a few hours, and are less burdensome for police officers.

In the absence of assigning dedicated police officers to Animal Control, it is imperative that officers in each district have training in investigating dogfighting and animal cruelty cases. Some veterans of the police department have never investigated an

animal cruelty case. Likely candidates for such training include community police officers; however, a sufficient number of officers should receive this training so that each of the nine (9) districts has at least one officer who is trained to handle animal cruelty investigations during each of three (3) shifts, or 24-hours per day. The Task Force is strongly committed to this initiative and seeks to work closely with the BCPD and the Maryland Police and Corrections Training Commission to facilitate this training.

D. The Acquisition of Best Evidence To Prosecute Animal Abuse and the Need for Necropsies.

The Task Force has been asked to make recommendations as to “how to handle animal cruelty cases humanely and to ensure acquisition of the best evidence to prosecute animal abusers.” Although much remains to be done, one of the most glaring deficiencies that the Task Force has encountered is the lack of resources and experts to perform forensic necropsies, or animal autopsies in cruelty cases. This evidence is critical when animal abuse leads to death.

Animal cruelty investigations have become increasingly more sophisticated in recent years and a CSI effect has spilled over into prosecutions for animal cruelty. Earlier this month, the ASPCA announced the first dogfighting DNA database called Canine Codis or Combined DNA Index System.

Task Force member Dr. Randall Lockwood is the Senior Vice-President for Forensic Sciences and Anti-Cruelty Projects with the ASPCA. In the summer of 2009, he was involved in the largest dogfighting raid in the history of the country. Investigators seized more than 400 dogs from eight (8) states, spanning from Iowa to

Texas. The ASPCA, the University of California, Davis and two (2) regional humane societies developed this database from the dogs seized during this raid.

The database has already helped to secure seventeen (17) guilty pleas by establishing that many of these dogs were related and came from the same fighting stock. The database will also be useful in identifying blood samples at dogfighting sites, as well as tracking bloodlines and owners of dogs that are killed and dumped for refusing to fight.

Dr. Lockwood is a co-author of the text, *Forensic Investigation of Animal Cruelty, Humane Society of the United States (2006)*, and is a Fellow of the American College of Forensic Examiners. He has provided critical advice to BARCS and the Task Force in proper handling techniques in the immediate aftermath of cruelty cases.

Although pathologists at Johns Hopkins Medical Center have previously volunteered their services and performed forensic necropsies without cost, these experts are unwilling to testify in court. While the Task Force recently located a local veterinary pathologist to handle a necropsy, the Baltimore region needs several qualified experts who are not only willing to perform this necessary service, but are willing to testify at trial as well.

This evidence is critical because a prosecutor in Maryland must establish - beyond a reasonable doubt -- that a defendant did “intentionally mutilate, torture, cruelly beat, or cruelly kill an animal.” MD. CODE CRIM LAW § 10-606. While egregious cruelty may seem apparent, a defendant may claim that an animal was already dead when it was injured or died from a disease process. Accordingly, a forensic necropsy is often necessary to establish the time of death, the cause of death, and whether

the animal endured pain and suffering, thereby establishing that the defendant “cruelly killed” his victim.

BARCS is in urgent need of equipment to preserve bodies of cruelty victims for necropsies. Ideally, a body should be kept chilled at refrigerator temperatures (39 degrees Fahrenheit), as freezing a body will cause ice crystals to form, making histopathological evaluation difficult if not impossible. *Forensic Investigation of Animal Cruelty, supra at p. 75*. In the absence of a refrigerator, a body can be preserved with ice packs, provided they are not in direct contact with the body, where they can cause tissue damage. *Id.* Until approximately one (1) month ago, BARCS did not have a refrigerator to preserve the bodies of cruelty victims and had to rely on the labor intensive process of using and replacing ice packs. After hearing about a recent cruelty case resulting in the death of a dog, a citizen generously donated a refrigerator to BARCS for storing bodies pending necropsy.

After a necropsy is performed, the body should be preserved by freezing until disposition of the cruelty case. Although it does have a freezer, BARCS should have a dedicated locked freezer for this purpose. *Forensic Investigation of Animal Cruelty, supra at p. 81*.

It is unfortunate that there is no veterinary school in the Baltimore region or within the Maryland border. Given the number of cruelty cases resulting in death, Baltimore needs to cultivate several veterinary pathologists who are qualified to perform forensic necropsies and are willing to testify in court. In addition, all veterinary technicians and shelter employees at BARCS should receive basic training in preservation of evidence in cruelty cases.

The lack of resources in this area is stunning. Animal Control and BARCS literally have no funds for necropsies, which are necessary “to ensure acquisition of the best evidence to prosecute animal abusers.” In addition, BARCS needs proper equipment to preserve bodies of cruelty victims, both before and after necropsy, as well funds to retain veterinary pathologists to perform these examinations. A basic necropsy can cost \$1,500 - \$2,000 and a conservative estimate for the number of necropsies necessary in Baltimore is 7 – 10 a year. While experts at Hopkins have volunteered their services in the past, the City cannot rely on these professionals, who cannot testify as expert witnesses in court. The ASPCA has offered to assist in these cases, but there is considerable expense in transporting these bodies to New York or Florida where the ASPCA has forensic experts. BARCS not only needs trained experts in the Maryland region to perform forensic necropsies, it also needs to be able to pay for these critical examinations as well.

E. Recommendations for Eradicating Dogfighting and the Preservation of Evidence in Cruelty Cases.

The Task Force makes the following recommendations to eradicate dogfighting and ensure the acquisition of the best evidence to prosecute animal abusers. As with the Interim Report, these recommendations are listed in terms of feasibility and expense, commencing with the recommendations that are easiest to achieve:

1. All veterinary technicians and shelter staff at BARCS should receive basic training in the preservation of evidence in cruelty cases. Webinars and CD-ROM-based training are available at no cost.

2. In the absence of assigning dedicated police officers to Animal Control, significantly more members of the BCPD need to receive training in forensic investigations in dogfighting and animal cruelty cases. Likely candidates for such training include community police officers; however, a sufficient number of officers should receive this training so that each of the nine (9) districts has at least one officer who is trained to handle animal cruelty investigations at all times during each of three (3) shifts, or 24-hours per day. The ASPCA is willing to provide live training to the BCPD at no cost.

3. The Maryland Police and Corrections Training Commission should create an enabling objective for entry level police officers in felony animal cruelty and dogfighting, so that officers learn the resources available to them as part of their training in criminal investigations. There is no cost associated with this recommendation.

4. The Task Force should serve as the liaison among Animal Control, the BCPD, and the State's Attorney's Office, to ensure coordination among City agencies in dogfighting and animal cruelty cases. There is no cost associated with this recommendation.

5. BARCS needs access to several veterinarians or veterinary pathologists who are not only qualified to perform forensic necropsies in cruelty cases, but are willing to testify in court. The Task Force recommends that the Mayor appoint a veterinarian to work on any future Anti-Animal Abuse Task Force or Commission, who would identify veterinarians who are willing to perform these examinations, and would

coordinate any necessary training for these professionals. There is no cost associated with this recommendation.

6. The City should allocate funds to Animal Control/BARCS so that BARCS can purchase necessary equipment for preserving evidence in felony cruelty cases involving death. BARCS should have a dedicated freezer for preserving bodies until disposition of these criminal cases. BARCS also needs adequate packing materials, such as ice packs and coolers for transport. The estimated cost for this equipment is \$5,000.

7. The City should allocate funds to Animal Control/BARCS to obtain forensic necropsies and other examinations in cruelty cases. BARCS should have a budget of \$20,000 per year for forensic examinations, including necropsies.

8. The City should allocate funds to implement a no-cost/low cost spay neuter clinic for pitbull dogs and pitbull mixes. Although the Maryland SPCA and the Baltimore Humane Society provide low cost spay neuter services for these dogs, these programs are not sufficient to accommodate the indiscriminant breeding of pitbull dogs in Baltimore. These services should be provided on a sliding scale depending on income and would dramatically curb dogfighting and other crimes against this victimized breed by curbing overpopulation. Although funds of any amount would help abate the problem, the City should allocate \$100,000 annually for this program, which would result in a meaningful reduction in breeding.

IV. LEGISLATION TO PROTECT ANIMALS AND PROSECUTE ABUSERS

A. The 2010 Legislative Session.

Since the inception of the Task Force, Maryland has dropped from 32nd to 40th in the nation in terms of the strength of its animal welfare laws. *Animal League Defense Fund 2009 State Animal Protection Laws Ranking*. While many states were successful in enacting some legislation this past year, the Maryland General Assembly failed to enact a single piece of animal welfare legislation during the 2010 session. Once again, several bills stalled in the House Judiciary Committee.

By way of summary, the Task Force has made nine (9) recommendations for changes to Maryland law:

1. Maryland should amend its misdemeanor and felony cruelty laws to authorize a judge, in his/her discretion, to ban a convicted defendant from owning animals for as long as is deemed necessary to protect animals.
2. Maryland should amend its misdemeanor and felony cruelty laws to provide either a cost of care, restitution, or bonding provision. These provisions require convicted defendants to pay for the costs of impoundment for animals seized due to neglect, abuse, or dogfighting, including their veterinary expenses.
3. Maryland should consider defining the term “cruelly kills” in MD. CODE CRIM. LAW §10-606 ANN., so to avoid any perceived ambiguity in the statute.
4. Maryland should continue its efforts to enact legislation so that animals may also be protected in domestic violence orders.
5. Maryland should enhance the penalty from a misdemeanor to a felony for being a knowing spectator at an animal fight.
6. Maryland should enhance the penalty for abandoning an animal from a fine not exceeding \$100 to a fine not exceeding \$1,000. Given the low penalty, there is no incentive for the State’s Attorney’s Office to prosecute this crime, which is rampant.
7. Maryland should enhance the penalty for misdemeanor animal cruelty from a 90-day sentence and a \$1,000 fine to a one-year sentence at a \$2,500 fine.

8. Maryland should enhance the penalties for felony animal cruelty consistent with the District of Columbia, which may impose a maximum sentence of five years imprisonment and a \$25,000 fine.

9. Maryland should enact a dogfighting paraphernalia statute.

During the past session, Senators James N. Robey (District 13) and Senator Jamie Raskin (District 20), introduced Senate Bill 21 (H.B. 265), which incorporated Task Force recommendations numbers 1 and 7, namely to increase the penalties for misdemeanor animal cruelty and prohibit certain defendants from owning animals in the future. Legislative experts from the ASPCA provided expert testimony on behalf of the Task Force in support of this bill. Although the bill passed unanimously in the Senate, the bill was never even given a vote in the House Judiciary Committee. Likewise, a bill that would have required bonding and forfeiture in cruelty cases (H.B. 1521), incorporating Task Force recommendation number 2 above, was also never even given a vote in the House Judiciary Committee.

Although other animal welfare bills were introduced, such as limiting sales of puppies at pet stores (S.B. 505) and a tethering bill (S.B. 1057), the Task Force did not provide testimony in support of these bills. While many proposed bills were commendable, the Task Force received many requests for comment and testimony during the legislative session and elected to provide testimony only as to legislation that it has specifically recommended and studied in detail. For example, when Task Force member Robert Anderson reviewed the proposed tethering bill with Michael Schrock of the City Solicitor's Office, both concluded that there were deficiencies in the bill as drafted and that in certain respects, it provided less protection than the tethering bill currently in effect in Baltimore.

B. The 2011 Legislative Session.

Although no bills have yet been pre-filed, a representative from the office of Senator Norman Stone has contacted the Task Force Chair to advise of his interest in introducing a bill to increase the penalties for abandonment of an animal. As noted previously, the current fine for abandonment is only \$100. This crime, for which there is no enforcement -- much less prosecution -- is widespread and causes extraordinary pain and hardship on animals, not to mention considerable expense to both Animal Control and BARCS, given the number of dogs and cats that are abandoned on Baltimore City streets every day.

In addition, the Task Force anticipates that legislation will be reintroduced that will allow courts to include protections for animals in domestic violence and peace orders. Several groups attempted to enact such legislation during the 2007, 2008, and 2009 legislative sessions. Because this bill repeatedly failed to pass the House Judiciary Committee, domestic violence and animal welfare groups elected not to pursue this bill during the 2010 legislative session.

Although Maryland has not been successful in this regard, more states continue to pass this important legislation each year. When the Task Force issued its Interim Report in January 2010, thirteen (13) states, as well as the District of Columbia and Puerto Rico, had enacted legislation to protect animals in domestic violence cases. As of May 2010, that number had increased to seventeen (17) states, including Arizona, California, Colorado, Connecticut, Hawaii, Illinois, Louisiana, Maine, Minnesota, Nevada, New York, North Carolina, Oklahoma, Tennessee, Vermont, Washington, West

Virginia, as well as the District of Columbia and Puerto Rico. *Pets in Domestic Violence Protective Order Laws, American Humane Association Public Policy Office (May 2010).*

In the most recent legislative attempt, Senator Raskin and Delegate McComas cross-filed Senate Bill 736 and House Bill 901, entitled “Domestic Violence - Cruelty Toward a Pet or Service Animal.” The bills authorized a court to order an abuser to: (1) remain away from a pet or service animal; (2) refrain from cruelty to a pet or service animal; and (3) relinquish a pet or service animal to a person entitled to relief, a family member, or a third-party. Despite strong support and testimony from the Animal Law Section of the Maryland State Bar Association, the Mid-Shore Council on Family Violence, and the American Humane Association, the bill stalled in the House Judiciary Committee, despite passing in the Maryland Senate by a vote of forty-three to three. MD. GEN. ASSEM., BILL. INFO., S. 736, 425th Gen. Assem., Reg. Sess. (Md. 2008).

This is an election year and the composition of the House Judiciary Committee -- which has been an impediment to enacting animal welfare legislation -- may change. Rather than leave the issue to chance, the Task Force should expand its role by working in conjunction with the House of Ruth of Maryland and domestic violence advocates to educate legislators as to the animal abuse-human violence link. Task Force member Dr. Randall Lockwood is a founding member of the National Link Coalition, which includes the ASPCA, The American Humane Association, and The Latham Foundation, among other organizations. Dr. Lockwood and the Task Force Chair attended a national conference of the National Link Coalition in Denver on June 10 – 11, 2010 and members of the Coalition expressed support for the Task Force and for a coalition in Baltimore, which would educate legislators and judges on the animal abuse-

human violence link. A coordinated effort could provide a tipping point to enact this important and overdue legislation.

C. The Baltimore City Code.

Throughout his tenure as the Director of Animal Control, Robert Anderson frequently reviewed and discussed animal welfare provisions of the Baltimore City Code with Michael Shrock, an Assistant Solicitor of the Baltimore City Law Department. Mr. Schrock has been a great resource to the Task Force in analyzing legislation on both the local and state levels. On March 26, 2010, Mr. Anderson and the Task Force Chair met with Mr. Schrock for a comprehensive review of the Baltimore City Code.

Mr. Anderson made several suggestions to Mr. Schrock regarding ways to strengthen protections for animals with respect to the following Baltimore City Code provisions: Neglect of Animals (§ 10-401); Abandonment of Animals (§ 10-402); Abuse of Animals (§ 10-403); and Animal Shows (§ 10-407). The City Law Department is studying these proposed changes and will make recommendations to the Baltimore City Council as deemed appropriate. Fortunately, in some respects, the Baltimore City Code provides greater protections for animals than the Maryland Code. For example, the fine for abandoning an animal in Baltimore is \$1,000, as compared to the \$100 fine under the Maryland Code.

V. CROSS-REPORTING OF ANIMAL ABUSE

A. The Lack of Progress in Baltimore.

In a study dating back to 1983 of pet-owning families with substantiated child abuse and neglect, Dr. Lockwood found that the incidence of animal cruelty was close to ninety percent (90%).⁴ Subsequent research reinforces the link between animal abuse and human violence. As the New York Times reporter Charles Siebert noted recently in his article, *The Animal Cruelty Syndrome*, “The link between animal abuse and interpersonal violence is becoming so well established that many U.S. communities are now cross-training social-service and animal-control agencies in how to recognize signs of animal abuse as possible indicators of other abusive behaviors.” *New York Times Magazine*, p. 47 (June 13, 2010).

In its Interim Report, the Task Force recommended that the Department of Social Services and the Department of Animal Control enter into an interagency agreement for the cross-reporting of animal abuse. This recommendation would not cost the City a single dollar and would simply require social service employees to report animal abuse, not investigate it. Although the Task Force has made only an informal request to the Department to implement this recommendation, there has been no progress. Accordingly, the Task Force recommends that the Mayor and City Council implement this recommendation, based on the San Diego model set forth in the Interim Report.

B. Beyond the Social Services Arena.

The City should not limit the cross-reporting of animal abuse to the Department of Social Services. Baltimore can and should be a leader in the nation with

⁴ DeViney, L., J. Dickert and R. Lockwood, “The Care of Pets Within Child Abusing Families,” *International Journal for the Study of Animal Problems*, 4(4):321-336 (1983).

respect to the reporting of animal abuse. Other agency employees, such as employees at the Baltimore Housing Department, the Department of Public Works, and the Department of Transportation, also observe animals in the course of their employment. Animal suffering would drop dramatically in Baltimore City if employees had a duty to report suspected abuse, neglect, and abandonment.

The Task Force believes that cross-reporting has such great potential for curbing animal abuse that it should not only be limited to municipal employees. For example, employees of the U.S. Postal Service, FedEx, UPS, BG&E, Verizon, and Comcast also come in close contact with animals. While the City cannot obviously impose any duties on private employees, the Task Force believes that there is value in a widespread campaign to educate the public on the importance of reporting suspected animal abuse and neglect, and the proper responses for each.

The Task Force previously analyzed the costs and benefits of a media campaign in its Interim Report. Some options are expensive, such as billboards and MTA bus panels. Accordingly, the Task Force believes that the most cost-effective method of educating the public on what constitutes abuse and how to respond involves widespread dissemination of the Task Force bookmark, an enlarged copy of which is attached at Exhibit 1. In addition to disseminating these bookmarks to Citizen on Patrol Groups, the Task Force also recommends that they be distributed to utility companies and private businesses, such as UPS and FedEx. Accordingly, the Task Force recommends that 10,000 copies of this bookmark be made for broad dissemination not only to Citizen on Patrol Groups, but also to City employees, utility and delivery companies, and students.

C. Additional Recommendations for Cross-Reporting.

1. Given the effectiveness and lack of expense involved with cross-reporting, the City should require social service employees to report suspected cases of animal neglect and abuse.
2. Over time, the City should require other agencies to report suspected animal neglect and abuse, such as the Baltimore Housing Department, the Department of Public Works, and the Department of Transportation.
3. The City should commence a broad public awareness campaign as to the signs of animal neglect and abuse, by disseminating copies of the Task Force laminated bookmark. The Task Force recommends that these bookmarks be given not only to Citizen on Patrol Groups, but also to City employees, utility and delivery companies, and students.

VI. EDUCATION AND OUTREACH

Task Force member Ann Gearhart of The Snyder Foundation for Animals has spearheaded our education and outreach efforts. She has met on two occasions with Linda Eberhart, the Executive Director of the Office of Teaching and Learning at the Baltimore City Public Schools, about incorporating humane education in the curriculum. She has also met with Senator Lisa Gladden, a strong advocate for humane education in the public schools.

Ann Gearhart is also exploring a campaign to “Take Animal Abuse Seriously.” The campaign involves creating a series of posters advocating the importance of reporting animal abuse, which could be endorsed and signed by public officials. The posters would be posted in schools and other public locations.

Finally, an attorney from the Washington, D.C. area has contacted the Task Force Chair about coordinating a humane education workshop in Baltimore through HEART (Humane Education Advocates Reaching Teachers) of New York. HEART is a private non-profit corporation that is dedicated to helping schools comply with humane education laws in New York, which require instruction in the humane treatment of animals and the importance of spaying and neutering. In March of this year, HEART partnered with the American Bar Association and conducted a day-long humane education workshop in Chicago, which trained volunteer attorneys and law students to teach a 4-lesson program on animal welfare protection to 4th and 5th grade students.

Many attorneys have expressed a desire to help the Task Force and a humane education campaign by attorneys could not only help the Task Force with its educational and outreach needs, but assist attorneys in meeting their aspiration goal of devoting 40 hours per year to pro bono service to the community. The Task Force will explore whether HEART would be willing to conduct a day-long humane education workshop in the Baltimore region.

The Task Force has attempted to engage the faith-based community with its education and outreach initiatives, but these efforts have met with only limited success. The faith-based community is a critical player in any broad based effort to educate the public regarding the importance of the humane treatment of animals, as well as reporting abuse. The Task Force will continue to seek support from this important sector.

VII. THE FACE OF ANIMAL ABUSE

During the past year, the City of Baltimore has borne witness to many horrific cases of animal abuse. Some of these animals have suffered such graphic mutilation that many media stations have blurred images of these animals when reporting these crimes.

Their stories need to be told, particularly when so many of the perpetrators of these crimes remain unpunished. A few of these crimes have made national news. The following are some of the cases that the Task Force has reviewed this year, which have provided the basis for many of our recommendations:

1. Phoenix - Phoenix remains an enduring symbol and the face of animal cruelty nationwide. This Task Force was created after she was doused with gasoline and set on fire in May 2009. The New York Times Magazine discussed her case at length in its June 13, 2010 issue. The alleged perpetrators are out on bail and the animal cruelty trial, which has been postponed numerous times, is scheduled to begin on September 20, 2010. *A photograph of Phoenix is attached at Exhibit 4.*

2. Gabrielle - Gabrielle was a cat that was stoned and set on fire twice last August in northwest Baltimore. She roamed the streets for approximately ten (10) days before Animal Control rescued her. Fortunately, she recovered and was adopted. Although witnesses reported that children attacked her, regrettably, the BCPD never made an arrest after Animal Control turned over its investigative file. Gabrielle's case exemplifies the need for dedicated police officers to Animal Control, so that these cases are investigated appropriately and without delay. *A photograph of Gabrielle is attached at Exhibit 5.*

3. Honey - Two good Samaritans discovered Honey on an abandoned lot near Gwynns Falls and Tioga Parkway on January 9, 2010, one of the coldest days of the year. She was barely alive and was whimpering when she was discovered. Jennifer Mead-Brause, Executive Director of BARCS, noted that Honey's case was "one of the worse abuse/neglect starvation cases I have ever seen." Her emaciation was so severe that employees at BARCS elected to euthanize her humanely. *A photograph of Honey is attached at Exhibit 6.*

Honey's case is striking in many respects: she suffered a slow and painful demise; she had a home at one time, as she was wearing a collar; and our system failed to provide her with any justice after her death. For one, although it appeared that she suffered from starvation, a necropsy was never performed to confirm this conclusion, as no funds were available. Without confirmation that she suffered from starvation, rather than some other cause, such as a disease process, a criminal investigation would have been challenging. Unfortunately, there was no investigation whatsoever. Aside from an unconfirmed cause for her extreme condition, if Honey had been abandoned, as suspected, the punishment for this crime under Maryland law is a mere \$100 fine. The State's Attorney's Office cannot be expected to allocate resources to prosecute this crime, given the low penalty that now exists. Honey exemplifies an intolerable injustice that must be remedied.

4. Gunshot Victim - On April 1, 2010, Samuel Moore, the Interim Director of the Department of Animal Control, advised that a pitbull dog had died of gunshot wounds. The dog had a microchip, a collar and a leash and Animal Control located the owner. Although the owner lived in South Baltimore, the perpetrators stole the dog and

dumped her body on the property of the Maryland Zoo. Even though this crime was a felony, Mr. Moore struggled to find a police officer to investigate. Mr. Moore contacted a Lieutenant, who at one time had served as a liaison to Animal Control. The police department told Mr. Moore that the Lieutenant was no longer assigned to Animal Control and suggested that he call the K-9 Unit, which did not respond. Mr. Moore ultimately reached an officer in the Northern District, but an officer in the Southern District initiated the investigation. This case has never been resolved. *A photograph of this crime victim is attached at Exhibit 7.*

5. Christy - On April 4, 2010, two juveniles tied a pitbull dog named Christy to a pole on the 3700 block of Greenspring Avenue and stoned her with bricks and rocks. When a witness attempted to intervene, the juveniles stoned him as well. Christy suffered extensive injuries to her face, but has recovered. Police recently arrested two juveniles who confessed to their crime. *A photograph of Christy is attached at Exhibit 8.*

6. Akasha - In early May 2010, Akasha, yet another pitbull dog, was attacked with a machete in her own fenced backyard. Officers in the area arrested the perpetrator, who, according to media reports, had a history of psychological problems. The attack was so brutal that Akasha lost an eye and suffered trauma throughout her head and face and into her soft palate. *A photograph of Akasha is attached at Exhibit 9.*

7. Unnamed Puppy - Mere days after Akasha was attacked, witnesses at the Carroll Park Golf Course observed three (3) young children who were attacking a young puppy with a branch and belts. The puppy suffered such extensive trauma, that it died

from the beating. Police recently arrested two (2) juvenile suspects; a third suspect remains on the streets.

8. Adonis - On June 14, 2010, AEO Ricky Martin responded to a call that a pitbull dog was found dead, hanging from a chain near an abandoned building on the 500 block of West Lanvale Street. BARCS employees subsequently named the dog Adonis. No arrests have been made in this case. *A photograph of Adonis is attached at Exhibit 10.*

9. Rainbow - Finally, on June 24, 2010, witnesses observed two (2) juveniles who were stoning a one-year old cat on Bethune Road in Cherry Hill. The cat, who is named Rainbow, was nursing 4-day old kittens. Rainbow suffered brain trauma and neurological damage and was unable to walk following the attack. The police have not arrested the suspects.

These cases underscore the severity of the crime of animal abuse and need for reform. The City must demonstrate greater commitment and devote significantly more resources to stopping these brutal crimes.

VIII. TASK FORCE RECOMMENDATIONS

Below are the recommendations that the Task Force has made throughout the year, including the recommendations set forth in the Interim Report, as some of the recommendations have not yet been implemented:

1. Animal Control field reports should be revised to allow Animal Enforcement Officers (“AEOs”) to report incidents of: (1) animal neglect, (2) animal abuse, or (3) when the police have been notified. This information should be transmitted to The Mayor’s Office of Information Technology (“MOIT”), which can then track animal neglect and abuse cases. The costs of implementing this recommendation are negligible.
2. The MOIT should grant access to BARCS and the Maryland SPCA to allow them to submit service requests for animal neglect and abuse victims that are surrendered directly to these shelters. Likewise, the Police Department should submit service requests for any animal cruelty cases it investigates directly so that MOIT tracks all animal cruelty cases. The costs of implementing this recommendation are negligible.
3. The MOIT should begin mapping all cases of animal cruelty so that Animal Control and the Baltimore City Police Department (“BCPD”) have readily accessible information regarding where and when the crimes of animal abuse and dogfighting are occurring. The costs of implementing this recommendation are negligible.
4. The online Service Request System should be amended to contain service requests for cases of suspected animal neglect or abuse. This will allow citizens to report animal abuse cases when the 311 Call Center is closed. The costs of implementing this recommendation are negligible.
5. Animal Control and the Department of Social Services - Child Protection Services should consider an interagency agreement whereby social services employees are required to report suspected cases of animal abuse or neglect. An experienced AEO or a humane educator could provide the necessary training to social services employees. The costs of implementing this recommendation are negligible.
6. Given the extremely high correlation between spousal abuse and animal abuse, legislation providing for the protection of pets and service animals in protective orders would be an extremely effective measure to protect victims of abuse, both human and animal. Maryland should continue its efforts to enact such legislation so that animals may also be protected in domestic violence orders.
7. The City should educate the public as to *what* constitutes animal abuse and *why* it is so critical to report. Baltimore should utilize its official website to provide

detailed information concerning this issue, as well as provide contact information for assistance. Finally, the website could explain the link between animal abuse and other types of abuse and crime, as well as provide information regarding local and state anti-cruelty laws. The costs of implementing this recommendation would be negligible.

8. The City of Baltimore needs to clarify how and where to report animal cruelty through its website and through a media campaign. In a nutshell, individuals with information regarding animal neglect or cruelty should call 311; individuals who witness dogfighting or cruelty crimes in progress should call 911. A successful media campaign could include signs on Animal Control vehicle, signs on MTA buses, and billboards. Signs should also be posted in public schools. Finally, the City should repair the neon sign above Animal Control's office at 301 Stockholm Street. This sign, which is visible from I-295 and I-395, could direct people to report animal cruelty.

An effective media campaign that utilized interior advertising on MTA buses for a four-week period would cost approximately \$5,000 - \$7,500; a campaign that utilized the rear advertising space of MTA buses would cost approximately \$15,000 - \$18,000; and a campaign that utilized side panels on MTA buses would cost approximately \$18,000 - \$25,000. The costs for billboard advertising for a 12' x 25' sign for a four-week period can range from \$900 for a low profile area to \$5,000 for a high profile area. Less expensive options include ecoposters, which cost approximately \$200 for an eight-week campaign, or premier vinyl panels, which cost approximately \$750/year, excluding production costs. A media campaign presents an opportunity for corporate underwriting.

9. The Task Force should evolve into a Mayor's Commission on Anti-Animal Abuse, so that the work of the Task Force can continue beyond its one-year term. The Commission should be expanded to include a citizen from each legislative district. The Commission would monitor progress in implementing recommended reforms as well as monitor animal abuse and dogfighting in each district. There would be no cost in implementing this recommendation, as the Commission would consist of volunteer members.

10. AEOs should receive, in addition to their training at the East Coast Animal Control Academy, specialized training in forensics and investigative techniques at the police academy. The costs of implementing this recommendation would be negligible.

11. The police academy should provide basic training to cadets in investigating animal cruelty and dogfighting. In addition, police officers should participate in focused training programs for investigating animal cruelty cases through the ASPCA and other animal protection organizations. The ASPCA provides online programs and CD-ROM training programs for police officers and would be willing to present a live training program to the Baltimore City Police Department ("BCPD") *at no cost*. The costs of implementing the remaining recommendations would be negligible.

12. The BCPD should designate an existing officer to serve as a liaison for Animal Control, the BCPD, and the State's Attorney's Office. This officer would: (a) serve as a contact person for all animal cruelty cases transferred from Animal Control to

the BCPD; (b) supervise additional investigation of these cruelty cases; (c) serve as a liaison to the State's Attorney's Office; and (4) report back to Animal Control regarding any final investigation and prosecution of animal cruelty cases. The costs of implementing this recommendation would be negligible.

13. The City should redirect revenue generated from the issuance of Animal Control citations toward the budget for Animal Control, rather than into the General Fund. This change in funding would provide an added incentive for AEOs and would result in even greater productivity. The costs of implementing this recommendation would be negligible.

14. AEOs should be required to attend the East Coast Animal Control Academy as a condition of employment. Sufficient funding should be provided for this critical training, which would protect officers as well as animals. The costs for attending the Academy are \$1,600 per AEO.

15. The City should consider eliminating the two (2) driver positions at Animal Control and converting these positions to AEO positions. These officers would be responsible not only for retrieving dead animals, but investigating whether these animals were victims of abuse. The costs of implementing this recommendation would be \$5,000 - \$10,000 for each additional AEO.

16. BARCS should be properly staffed to include a full-time veterinarian, who would provide routine care for nearly 12,000 animals that pass through its doors each year. Over time, this veterinarian would receive training in forensic investigation and documentation of animal cruelty. The personnel costs including benefits for a full-time veterinarian would be \$110,000 per year.

17. BARCS should be properly staffed to have fifteen (15) kennel employees per day to handle cleaning and feeding of the shelter population, which averages 400 animals on any given day. BARCS currently has only nine (9) kennel employees per day. The annual personnel costs including benefits for each full-time kennel employee is \$30,000. Although the total cost for proper staffing of the kennel would be an additional \$180,000 per year, additional positions could be added incrementally as the budget permits.

18. In lieu of relying on an existing police officer to serve as a liaison for Animal Control, the BCPD, and the State's Attorney's Office, the City should hire a "cruelty czar" who would be responsible for shepherding animal abuse cases from the time an abused animal is rescued until sentencing of the convicted abuser. This individual would serve as a liaison among several agencies and would work with Animal Control, the BCPD, and the State's Attorney's Office to ensure that animal abuse cases are investigated thoroughly and documented properly, so that the State's Attorney Office has sufficient evidence to prosecute abusers. As this would be a new position, the personnel costs for this position are uncertain.

19. The City should designate three (3) police officers (1 detective sergeant and 2 detectives) to work with Animal Control to investigate cases of animal cruelty and dogfighting. Because of the current lack of personnel, the City should initially hire retired police officers for these assignments. This is the single most important recommendation for eradicating animal cruelty that the Task Force has proposed to date. The total personnel costs including benefits for each experienced officer would be approximately \$75,000 per year, for a total of \$225,000. Much of this expense could be offset by freeing existing AEOs from time-consuming cruelty investigations, which would allow them to issue more citations and generate additional revenue.

20. Animal Control should be properly staffed to include a minimum of four (4) Supervisors, twenty-five (25) AEOs, and two (2) Sanitarians. The personnel costs including benefits for these employees are as follows: AEO - \$50,000; Supervisor - \$54,000; Sanitarian - \$62,000. The total additional personnel costs to properly staff Animal Control would be \$466,000, provided that the two (2) current driver positions have been converted to AEO positions. These positions should be filled incrementally as the budget allows.

21. The City should renew its efforts to relocate BARCS and Animal Control to a larger facility to accommodate not only the current influx of animals, but the increased demands that will arise with greater enforcement of Maryland's cruelty laws. Because of the existing high volume of animals at BARCS, the City has no means to assist the community by providing temporary shelter for companion animals in the event of a disaster. Moreover, the current location of these operations on Stockholm Street is problematic. Because the facility fronts the Patapsco River, it would be highly unlikely – if not impossible – to evacuate approximately 400 animals in the event of a hurricane or flood. If it is not feasible to relocate these operations, the City should either rebuild or greatly expand the current facility. The costs of building a brand new shelter with necessary space of 34,567 square feet could cost upward of nine to ten million dollars. The costs of renovating an existing building or expanding the current building would be significantly less.

At a bare minimum, the City must identify a location where animals housed at BARCS would be transferred in the event of an evacuation and the City should investigate whether any federal funds from FEMA or other agencies would be available for disaster preparedness planning. In addition, the Department of Transportation should promulgate regulations that would allow citizens to bring companion animals onto public transportation during a declared disaster.

22. Maryland should amend its misdemeanor and felony cruelty laws to authorize a judge, in his/her discretion, to ban a convicted defendant from owning animals for as long as is deemed necessary to protect animals.

23. Maryland should amend its misdemeanor and felony cruelty laws to provide either a cost of care, restitution, or bonding provision. These provisions require convicted defendants to pay for the costs of impounding an animal due to neglect, abuse, or dogfighting, including their veterinary expenses.

24. Maryland should define or replace the term “cruelly kills” in its felony cruelty statute (MD. CODE CRIM. LAW §10-606 ANN.), so as to avoid any perceived ambiguity in the statute. Maryland should consider replacing this phrase with either “needlessly kills” or “unnecessarily kills.”

25. Maryland should continue its efforts to enact legislation so that animals may also be protected in domestic violence orders.

26. Maryland should enhance the penalty for being a knowing spectator at an animal fight from a misdemeanor to a felony.

27. Maryland should enhance the penalty for abandoning an animal from a fine not exceeding \$100 to a fine not exceeding \$1,000. Given the low penalty, there is no incentive for the enforcement of this crime, which is rampant.

28. Maryland should enhance the penalty for misdemeanor animal cruelty from a 90-day sentence and a \$1,000 fine to a one-year sentence and a \$2,500 fine, which will bring Maryland more in line with surrounding states. The majority of animal cruelty cases fall under this statute and the penalties for this level of abuse are too low.

29. Maryland should enhance the penalties for felony animal cruelty consistent with the District of Columbia, which may impose a maximum sentence of five (5) years imprisonment and a \$25,000 fine.

30. Maryland should enact a dogfighting paraphernalia statute.

31. Maryland law provides a trial judge with the discretion to order convicted animal abusers to participate in and pay for psychological counseling as a condition of sentencing. MD. CODE CRIM LAW § 10-604(b)(2); § 10-606(b)(2). Prosecutors, criminal defense attorneys, and the courts should recommend counseling for convicted animal abusers as a matter of course and defendants should bear the cost of this counseling. Courts should order counseling in addition to any appropriate punishment, such as jail time or fines. Finally, courts should monitor counseling as a condition of probation to ensure successful completion.

32. Given the dearth of mental health professionals who have training and experience in the area of animal abuse, professionals with an interest in this subject matter should undergo training in this area. Although not exclusive, the AniCare and AniCare Child models are well-respected programs for the assessment and treatment of animal abusers. Professionals must first properly evaluate convicted animal abusers before developing a diagnosis or treatment plan.

33. District and Circuit Court judges should have access to the names of mental health professionals who have training and experience with assessing and treating

perpetrators of animal abuse, so that courts can readily make referrals to experienced professionals as a condition of sentencing.

34. The Mayor's Office on Criminal Justice should continue to work with the Task Force so that Citizens on Patrol Groups can report cases of suspected animal neglect, abuse, or dogfighting anonymously to Animal Control and the Police Department. There is no cost associated with this recommendation.

35. Humane educators and volunteers should accompany Citizens on Patrol Groups to help neighborhoods identify signs of dogfighting, animal abuse, and neglect. Trained volunteers can initially assist with educating these groups in recognizing signs of these crimes. There is no cost associated with this recommendation.

36. The City of Baltimore should assist the Task Force in educating the public as to the signs of animal neglect, abuse and dogfighting. The Task Force has created a laminated bookmark for this purpose, which can be distributed to Citizens on Patrol Groups. The City of Baltimore should print 10,000 copies of this bookmark, which can be distributed not only to Citizen on Patrol Groups, but also to agencies, utility companies and students. The costs of producing these bookmarks would be approximately \$2,500.

37. All veterinary technicians and shelter staff at BARCS should receive basic training in the preservation of evidence in cruelty cases. Webinars and CD-ROM-based training are available at no cost.

38. In the absence of assigning dedicated police officers to Animal Control, significantly more members of the BCPD need to receive training in forensic investigations in dogfighting and animal cruelty cases. Likely candidates for such training include community police officers; however, a sufficient number of officers should receive this training so that each of the nine (9) districts has at least one officer who is trained to handle animal cruelty investigations at all times during each of three (3) shifts, or 24-hours per day. The ASPCA is willing to provide live training to the BCPD at no cost.

39. The Maryland Police and Corrections Training Commission should create an enabling objective for entry level police training in felony animal cruelty and dogfighting, so that new officers learn about the resources available to them as part of their training in criminal investigations. There is no cost associated with this recommendation.

40. The Task Force should serve as the liaison among Animal Control, the BCPD, and the State's Attorney's Office, to ensure coordination among City agencies in dogfighting and animal cruelty cases. There is no cost associated with this recommendation.

41. BARCS needs access to several veterinarians or veterinary pathologists who are not only qualified to perform forensic necropsies in cruelty cases, but are willing to testify in court. The Task Force recommends that the Mayor appoint a veterinarian to work on any future Anti-Animal Abuse Task Force or Commission, who would identify veterinarians who are willing to perform this service, and would coordinate any necessary training for these professionals. There is no cost associated with this recommendation.

42. The City should allocate funds to Animal Control/BARCS so that BARCS can purchase necessary equipment for preserving evidence in felony cruelty cases involving death. BARCS should have a dedicated freezer for preserving bodies until disposition of these criminal cases. BARCS also needs adequate packing materials, such as ice packs and coolers for transport. The estimated cost for this equipment is \$5,000.

43. The City should allocate funds to Animal Control/BARCS to obtain forensic necropsies and other examinations in cruelty cases. BARCS should have a budget of \$20,000 per year for forensic examinations, including necropsies.

44. The City should allocate funds to implement a no-cost/low cost spay neuter clinic for pitbull dogs and pitbull mixes. Although the Maryland SPCA and the Baltimore Humane Society provide low cost spay neuter services for these dogs, these programs are insufficient to accommodate the indiscriminant breeding of these dogs in Baltimore. These services should be provided on a sliding scale depending on income and would dramatically curb dogfighting and other crimes against this victimized breed by curbing overpopulation. Although funds of any amount would help abate the problem, the City should allocate \$100,000 annually for this program, which would result in a meaningful reduction in breeding.

45. Given the effectiveness and lack of expense involved with cross-reporting, the City should require social service employees to report suspected cases of animal neglect and abuse.

46. Over time, the City should require other agencies to report suspected animal neglect and abuse, such as the Baltimore Housing Department, the Department of Public Works, and the Department of Transportation.

47. The City should commence a broad public awareness campaign as to the signs of animal neglect and abuse, by disseminating copies of the Task Force laminated bookmark. The Task Force recommends that these bookmarks be given not only to Citizen on Patrol Groups, but also to City employees, utility and delivery companies, and students.